

UNITED STATES BANKRUPTCY COURT
Middle District of North Carolina
101 S. Edgeworth Street
Greensboro, NC 27401

Bankruptcy Case No.: 08-80681

IN THE MATTER OF:

Donald Vincent Bernardo xxx-xx-3877
1825 Midland Road
Southern Pines, NC 28387

Debtor(s)

STATEMENT OF PRESUMED ABUSE

As required by 11 U.S.C. § 704(b)(1)(A), the Bankruptcy Administrator has reviewed the materials filed by the debtor(s). Having considered these materials in reference to the criteria set forth in 11 U.S.C. § 707(b)(2)(A), and, pursuant to 11 U.S.C. § 704(b)(2), the Bankruptcy Administrator has determined that:(1) the debtor's(s') case should be presumed to be an abuse under § 707(b); and (2) the product of the debtor's current monthly income, multiplied by 12, is not less than the requirements specified in § 704(b)(2)(A) or (B). As required by 11 U.S.C. § 704(b)(2) the Bankruptcy Administrator shall, not later than 30 days after the date of this Statement's filing, either file a motion to dismiss or convert under § 707(b) or file a statement setting forth the reasons the Bankruptcy Administrator does not consider such a motion to be appropriate. Debtor(s) may rebut the presumption of abuse only if special circumstances can be demonstrated as set forth in 11 U.S.C. § 707(b)(2)(B).

Dated: 7/9/08

Michael D. West

BANKRUPTCY ADMINISTRATOR